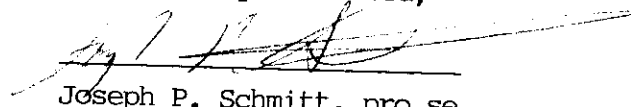


WHEREFORE, plaintiff prays that Justice R. W. Zobel will grant his request and recuse himself from the above captioned action as well as the related action filed in this court in which he presides over, Schmitt vs. Mulvey 04-10717-RWZ.

Dated: January 20, 2005

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Joseph P. Schmitt", is written over a horizontal line.

Joseph P. Schmitt, pro se
MA. Treatment Center
30 Administration Road
Bridgewater, Massachusetts
02324-3230

Cc: JPS FILE